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1-26-1988

# Automobile Insurance. Good Driver Premiums.

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Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

#439  
ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 833-8683

June 30, 1988

TO: All County Clerks/Registrars of Voters  
and Proponent (88176)

FROM:

A handwritten signature in cursive script, appearing to read "Deborah Seiler", written over a horizontal line.

DEBORAH SEILER  
Assistant to the Secretary of State  
Elections and Political Reform

Pursuant to Elections Code section 3520(b) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: AUTOMOBILE INSURANCE. GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.

SUMMARY DATE: January 26, 1988

PROPONENT: J. Gary Gwilliam

DS/1/gw



Office of the Secretary of State  
March Fong Eu

1230 J Street  
Sacramento, California 95814

#439

ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 833-8683

January 26, 1988

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8832)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

AUTOMOBILE INSURANCE.  
GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.

Circulating and Filing Schedule

1. Minimum number of signatures required..... 372,178  
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Tuesday, January 26, 1988  
Elec. C., Sec. 3513.
3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
signatures.....Tuesday, January 26, 1988  
Elec. C., Sec. 3513.
  - b. Last day Proponent can circulate and file with  
the county. All Sections are to be filed at  
the same time within each  
county.....Friday, June 24, 1988+  
Elec. C., Secs. 3513, 3520(a).
  - c. Last day for county to determine total number  
of signatures affixed to petition and to  
transmit total to the Secretary of State.....Friday, July 01, 1988

(If the Proponent files the petition with the county on a date prior to 06/24/88, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

+PLEASE NOTE: To the Proponent who may wish to qualify for the November 8, 1988 General Election. The law allows approximately 85 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 85 days. But if you want to be sure that this initiative qualifies for the November 8, 1988 General Election, you should file this petition with the county before April 6, 1988.

AUTOMOBILE INSURANCE.  
GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.

Page 2

January 26, 1988

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....Sunday, July 10, 1988\*\*
- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Monday, July 25, 1988
- (If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 07/01/88 the last day is not later than the fifteenth day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).
- f. If the signature count is more than 409,395 or less than 353,569, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 353,569 and 409,395 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....Thursday, August 04, 1988\*\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Monday, September 19, 1988
- (If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 07/25/88, the last day is not later than the thirtieth working day after county's receipt of notification.)  
Elec. C., Sec. 3521(b), (c).
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient.....Friday, September 23, 1988

\*\*Date varies based on receipt of county certification.

AUTOMOBILE INSURANCE.  
GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.  
Page 3  
January 26, 1988

4. The Proponent of the above named measure is:

J. Gary Gwilliam  
GWILLIAM & IVARY  
Attorneys at Law  
1401 Lakeside Drive, Suite 800  
Oakland, California 94612  
(415) 832-5411

5. Important Points:

- (a) Please refer to Elections Code sections 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.
- (b) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (c) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (d) When a petition is presented to the county elections official for filing by someone other than the proponents, the required authorization shall include the name or names of the persons filing the petition.
- (e) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



DEBORAH SEILER  
Assistant to the Secretary of State  
Elections and Political Reform

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

01/26/88



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO 94244-2550  
(916) 445-9555  
**(916) 324-5475**

January 26, 1988

**FILED**  
In the office of the Secretary of State  
of the State of California

JAN 26 1988

**MARCH FONG EU, Secretary of State**

By B. B. B. B. B. Deputy

Honorable March Fong Eu  
Secretary of State  
1230 J Street  
Sacramento, California 95814

Dear Mrs. Eu:

Initiative Title and Summary.  
Subject: AUTOMOBILE INSURANCE. GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.  
Our File No.: SA 87 RF 0051

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponents(s) of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent(s), a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP  
Attorney General

Linda Calabrese

LINDA A. CABATIC  
Deputy Attorney General

**LAC : kmp**

## Enclosures

J. GARY Gwilliam  
ERIC H. IVARY  
JAMES R. CHIOSSO  
STEVEN R. CAVALLI  
STEVEN J. BREWER

LAW OFFICES OF  
**Gwilliam AND IVARY**  
A PROFESSIONAL CORPORATION  
1401 LAKESIDE DRIVE, SUITE 800  
OAKLAND, CALIFORNIA 94612  
(415) 832-5411

AMENDMENT #1  
SA 87 RF 0051

OF COUNSEL  
P. KATHRYN VAUGHAN

January 11, 1988

VIA FEDERAL EXPRESS

Paul Dobson, Esq.  
Supervising Deputy Attorney General  
1515 K Street, Suite 511  
Sacramento, CA 95814

Dear Mr. Dobson:

Enclosed is a revised version of the Good Driver Rate Reduction Act of 1988 initiative.

This change consists of only two technical amendments. The first is a change in Section 12. The second is a new Section 15 to deal specifically with effective and operative dates. Neither change should affect your title and summary.

Thank you.

Very truly yours,

  
J. Gary Gwilliam

JGG:lj  
Enclosure

1788

Date: January 26, 1988  
File No.: SA 87 RF 0051

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**AUTOMOBILE INSURANCE. GOOD DRIVER PREMIUMS. INITIATIVE STATUTE.**

Requires motor vehicle insurers to base insurance premiums primarily upon driving record of applicant. Requires insurance be sold to, and 25% reduction in premiums for, drivers with good driving records as specified. Requires proof of financial responsibility upon vehicle registration. Creates consumer information system and provides for insurance company funding for increased investigation and prosecution of fraudulent insurance claims. Suspends driving privilege of persons under 21 involved in, among other offenses, alcohol or controlled substance related driving offenses. Requires insurers to exercise good faith and fair dealing in claims settlements. Contains other provisions.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The effect of this measure on General Fund revenues from gross insurance premium taxes currently paid by insurance companies is unknown, since information is unavailable on the amount of insurance premiums paid by good drivers. Adoption of this measure would increase the administrative costs for the Department of Insurance approximately \$2 million annually, payable from the Insurance Fund, and the Department of Motor Vehicles approximately \$6 to \$8 million annually, payable from the State Transportation Fund. It may also result in other unknown annual court costs.



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, residents of \_\_\_\_\_ County (or city and county), hereby propose amendments to the Business and Professions Code, Civil Code, Motor Vehicle Code and the Insurance Code, relating to automobile liability and insurance company activities and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law.

The proposed statutory amendments (full title and text of the measure) read as follows:

Section 1. Title

This Act shall be known as the "Good Driver Rate Reduction Act of 1988."

## Section 2. Purpose and Intent

The People of the State of California find and declare that:

The current system for providing automobile insurance in California is unfair and out of control. Consumers are forced to pay unjustified and excessive premiums.

Over the last two years rates have soared 50% higher while insurance company corporate profits -- on which many pay little or no federal income tax -- have increased almost 500% in 1986 alone.

Until now, the premiums insurers set for their auto policies have not been regulated by this state.

California's unfair and unregulated automobile insurance rating system, created and run by the auto insurers alone, forces responsible drivers to subsidize both bad and uninsured drivers. Rates are based primarily on where a driver lives, rather than on his or her driving record.

Under this system, insurance companies are allowed to refuse to sell insurance to drivers, even those with spotless records. Policies for good drivers are arbitrarily cancelled without just cause.

Responsible drivers pick up the cost for uninsured drivers. With almost 3 million of the state's licensed drivers uninsured, a significant portion of the typical automobile policy cost is spent for uninsured motorists coverage. While California law requires every driver to have automobile insurance, the law

is not properly enforced.

Faced with the virtually impossible task of choosing the best, lowest-priced policies from among more than 200 companies, many consumers receive inaccurate information from insurance agents and end up paying far more than necessary for their automobile insurance.

Fraudulent claims and kickbacks cost drivers millions in additional premiums.

Safe drivers also suffer from the threat of drunk drivers, many of whom are minors. In 1986, 24% of all serious drunk driving accidents involved a driver under 21 years of age.

Because the State of California now makes automobile insurance mandatory for its motorists, the state has a duty to enact a law that assures its citizens that such insurance is available at fair rates and without discrimination. To achieve this, the following reforms are required:

Automobile insurance rates must be reduced 25% for good drivers.

Rates must be based primarily on an individual's driving record. Companies must not be permitted to deny insurance to any driver with a good record or to arbitrarily cancel policies. Good drivers must no longer be forced to obtain prohibitively expensive insurance from the assigned risk program which was designed to provide coverage for bad drivers.

Proof of insurance upon vehicle registration must be mandated and consumers must receive any premium savings resulting

from the reduced number of uninsured drivers on the road.

To enable drivers to obtain fair and affordable automobile insurance, a consumer information service must be established to provide consumers with a list of the ten most competitive rates, tailored to each driver's record and coverage needs.

To help eliminate costly insurance fraud both within and outside the insurance industry, the Department of Insurance Fraud Bureau must be expanded and enforcement should be strengthened.

To help provide safe driving conditions in California, penalties for minors convicted of drunk driving must be increased.

Good drivers must not be forced to pay for uninsured motorists, bad drivers or the greed of the insurance companies. This Act is necessary to provide drivers with a fair, affordable and accessible automobile insurance system.

### Section 3. Good Driver Rate Reduction

Section 1852.5 is added to the Insurance Code to read:

#### Section 1852.5

(a) Effective December 1, 1988, every insurer admitted to write automobile insurance in California shall, as a part of establishing the "Good Driver Rating Plan" described in Insurance Code section 1852.4, reduce the total automobile insurance premium to be charged each "good driver" as defined in Insurance Code Section 1852.4 by 25% of what that "good driver" was charged on October 31, 1988. No insurer shall charge new

policyholders who qualify for the Good Driver Rating Plan a premium higher than that charged a similarly situated good driver whose premium has been reduced pursuant to this section.

(b) For every percentage point above the California Consumer Price Index that a good driver's premium has increased between October 31, 1987 and October 31, 1988 the good driver premium reduction shall be increased by one percentage point. The intent of this provision is that a good driver should pay at least 25% less for the same policy as he or she paid before this act became effective.

(c) All future premium adjustments must be strictly in accordance with the "Good Driver Rating Plan" and supported by verifiable loss data, and "good driver" rates must be at least 25% lower than the next best rate. No increase in excess of the California Consumer Price Index may be imposed unless the Insurance Commissioner of the State of California approves the increase after a finding that the increase is in the public interest. The burden of showing the need and providing clear and convincing supporting data shall be on the insurer. The Insurance Commissioner shall assess admitted automobile insurers based on a percentage of their written premiums for an amount sufficient to pay this and other costs of administering the Good Driver Rate Reduction Act of 1988 and such costs shall not be passed on to the insureds. The Legislature may by majority vote enact procedures to implement this subdivision (c).

#### **Section 4. Good Driver Rating Plan**

Section 1852.4 is added to the Insurance Code to read:

##### **Section 1852.4**

(a) Every insurer in this state admitted to write automobile insurance policies shall calculate premiums pursuant to a "Good Driver Rating Plan" under which the premium for the policy shall be based primarily upon the official Department of Motor Vehicle driving record of the drivers to be insured under the policy. Other rating factors may be used, but only if based upon clear and convincing statistical variations in loss experience of "good drivers" assigned to each rating classification.

(b) As used in this section, "good driver" means any driver who holds a valid California driver's license that is not under suspension or revocation and who has a three-year driving record for the period immediately preceding application for or renewal of a policy, with no more than one motor vehicle point as provided in Section 12810 of the Vehicle Code, and who has not been convicted of drunk driving, reckless driving, hit and run or any other offense pursuant to Vehicle Code Sections 20001, 20003, 23103, 23104, 23152, 23153 or for offenses of a substantially similar nature committed in California or in another jurisdiction.

#### **Section 5. Mandatory Good Driver Insurance**

Section 1852.6 is added to the Insurance Code to read:

##### **Section 1852.6**

(a) Under penalty of forfeiting its certificate of authority, an admitted motor vehicle liability insurer shall not cancel, limit, or refuse to insure or renew coverage available to a good driver as defined in Section 4, for automobile insurance in any county in which it does business.

(b) Insurers need not comply with this section if the good driver applicant:

(1) has been convicted within the immediate preceding five-year period of fraud or intent to defraud involving an automobile insurance claim or an application for automobile insurance, or is a person who has been convicted of theft of a motor vehicle, or

(2) is a person whose insured automobile or automobile to be insured under the automobile insurance policy fails to meet the safety requirements pursuant to Division 12 of the Vehicle Code.

(c) The Legislature may by majority vote establish procedures by which the Insurance Commissioner may relieve an insurer of the obligations of this section when it would be in the public interest to do so.

#### Section 6. Uninsured Motorists

Section 16028(1) of the Vehicle Code is repealed and a new Section 16028(1) is added to read:

##### Section 16028(1)

(1) A motor vehicle may be registered in

California only if proof of financial responsibility in the amounts specified in Vehicle Code Section 16056 is provided at the time application for registration is made in the form required by the department.

(2) Annually, the Department of Insurance shall review loss data relative to uninsured and underinsured motorist insurance and all available data regarding the total number of uninsured and underinsured motorists in California and shall establish a maximum percentage of the total automobile insurance liability premium that may be charged for uninsured and underinsured motorist coverage.

#### Section 7. Consumers' Right to Comparative Insurance Rates

Section 1852.7 is added to the Insurance Code to read:

##### Section 1852.7

(a) The Department of Insurance shall establish an automobile insurance consumer information system designed to provide all California drivers with current and accurate information on the costs of automobile policies offered by the different companies. The system shall enable an individual to obtain the ten lowest quotations of currently available prices for their desired coverage. Upon penalty of forfeiture of its certificate of authority, every insurer admitted in this state shall provide the Department of Insurance accurate and complete information regarding rates and coverage in a form to be determined by the Department and shall notify the Department within 10 days of any changes therein.



(b) The consumer information system shall be completely self-funding through user fees which shall not exceed \$3. If the actual cost of operating the system exceeds funds generated by the user fee, the Insurance Commissioner shall assess insurers for the difference.

#### Section 8. Anti-Fraud Provision

Section 12998 is added to the Insurance Code to read:

Section 12998. Each insurance company doing business in California shall pay an annual fee to be determined by the California Department of Insurance but not to exceed 30 cents for each automobile insurance policy it writes, in order to fund increased investigation and prosecution of fraudulent automobile insurance claims and other incidental expenses of this measure. Fifty percent of such funds after incidental expenses shall be distributed to local district attorneys, according to population, for prosecution of automobile fraud cases.

In the course of its investigations, the Bureau of Fraudulent Claims of the Insurance Department shall aggressively pursue all reported incidents of probable fraud and in addition, shall forward to the appropriate disciplinary body the names of any individuals licensed under the Business and Professions Code of the State of California who are suspected of actively engaging in fraudulent activity along with all relevant supporting evidence.

## Section 9. Drunk Driving Penalties

Section 13202.5 of the Vehicle Code is amended to read:

### Section 13202.5

(a) Any person under the age of 21 years who is convicted of any offense specified in subdivision (d) shall forfeit his or her driving privileges for a period of one year from the date of conviction. If he or she does not have a driver's license, a one-year delay in eligibility shall be imposed. If the person's driving privileges have been previously suspended or delayed under this section, the duration shall be extended until the person reaches 21 years of age or for a period of two years, whichever is later.

As used in this section, the term "conviction" includes the findings in juvenile proceedings specified in Section 13105 of the Vehicle Code.

(b) Whenever the court suspends driving privileges under subdivision (a), the court shall require all driver's licenses held by the person to be surrendered to the court. The court shall within 10 days following the conviction transmit a certified abstract of the conviction, together with any driver's licenses surrendered, to the department.

Violation of restrictions imposed under this section are subject to Section 14603.

(c) After a court has issued an order suspending or delaying driving privileges under subdivision (a), the court, upon petition, may review the order and may instead

impose restrictions on the person's privilege to drive based upon a showing of a critical need to drive. The restriction shall remain in effect for the balance of the period of the proposed suspension or delay under this section.

(d) This section applies to violations involving controlled substances or alcohol pursuant to Section 191.5, paragraph (3) of subdivision (c) of Section 192, subdivision (c) or (d) of Section 192.5 of the Penal Code, Section 23140 of the Vehicle Code and pursuant to Article 2 (commencing with Section 23152) of Chapter 12 of Division 11 of this Code while operating a motor vehicle.

(e) Suspension, restriction, or delay of driving privileges under this section shall be in addition to any penalty imposed upon conviction of any violation of law as specified in subdivision (d).

#### Section 10. Responsibility of Drivers at Fault

Section 3333.6 is added to the Civil Code to read:

Section 3333.6. It is the expressed policy and desire of the People of the State of California that the automobile liability system should be based on fault as embodied in California statutes such as Civil Code Section 1714. A driver, or other party responsible for an accident proximately causing injuries, death, or property damage or other damages is responsible and liable in tort for all general, special and other damages as defined by statutory and common law.

The intent of this section is that in addition

to other remedies, injured persons shall be fully compensated by the wrongdoer for all of their injuries and losses.

#### **Section 11. Access to Counsel**

Business & Professions Code Section 6146.6 is added to read:

Section 6146.6. In addition to any other obligations imposed upon attorneys by law, attorneys shall advise prospective clients in writing that fees in automobile liability cases are not set by law, but are negotiable without restriction between attorney and client. Fees in cases involving automobile insurance claims shall not be set by law, except as the "Good Driver Rate Reduction Act of 1988" is amended subsequent to its effective date. The existing right of clients to negotiate fees without restriction and to receive a written fee agreement is hereby ratified.

#### **Section 12. Duty to Act Fairly**

Subdivision (1) is hereby added to Section 790.03 of the Insurance Code to read:

(1) In claims arising out of vehicle accidents, when liability is reasonably clear, insurers who fail to engage in prompt, fair and equitable settlement of first and third party claims shall be civilly liable in tort pursuant to but not limited to Civil Code Sections 3333 and 3294, and Insurance Code Section 790.03 et seq. The remedies provided in this section shall be in addition to any other remedies available under

existing statutory or common law and shall not be construed to change or otherwise limit existing law with respect to non-automobile claims.

### **Section 13. Severability**

If any provision of this measure, or the application of any provision to any person or circumstances, shall be held invalid or otherwise be held not to be effective, the remainder of this measure to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid or ineffective, shall not be affected thereby, and to this end the provisions of this act are severable.

### **Section 14. Amendment**

This act may be amended or repealed by the procedures set forth in this section. If any portion of subdivision (a) is declared invalid, then subdivision (b) shall be the exclusive means of amending or repealing this act.

(a) This act may be amended to further its purposes by statute, passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring and signed by the Governor, except that only a majority vote is required where specifically permitted by the act.

(b) This act may be amended or repealed by a statute that becomes effective only when approved by the voters.

**Section 15. Effective and Operative Dates**

(a) This measure is effective on the date following passage and operative immediately except as provided in subdivision (b).

(b) In the event that a measure containing provisions in conflict with this measure is approved and receives a higher affirmative vote at the same election, provisions of this measure that would otherwise be in conflict with that measure shall be operative on January 1, 1993 or the earliest such other date that they may go into effect without conflicting with provisions in the measure receiving the higher vote. In that event, the Insurance Commissioner shall adjust the dates and the percentage reduction set forth in section 3 in a manner consistent with the purpose and intent of this measure so that rates effective when the provisions become operative are at the same level as they would have been had the provisions been operative since 1988.

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. BOX 944255  
SACRAMENTO 94244-2550  
(916) 445-9555  
(916) 324-5475

January 26, 1988

J. Gary Gwilliam  
Gwilliam & Ivory  
Attorneys at Law  
1401 Lakeside Drive, Suite 800  
Oakland, California 94612

Initiative Title and Summary.  
Subject: AUTOMOBILE INSURANCE. GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.  
Our File No.: SA 87 RF 0051

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP  
Attorney General

A handwritten signature in cursive script, reading "Linda A. Cabatic", is written over the typed name of the Deputy Attorney General.

LINDA A. CABATIC  
Deputy Attorney General

LAC:kmp

Enclosures

# DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: January 26, 1988

Subject: AUTOMOBILE INSURANCE. GOOD DRIVER PREMIUMS.  
INITIATIVE STATUTE.

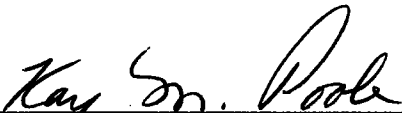
Our File No.: SA 87 RF 0051

Name of Proponent(s) and Address(es):

J. Gary Gwilliam  
GWILLIAM & IVARY  
Attorneys at Law  
1401 Lakeside Drive, Suite 800  
Oakland, California 94612

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on:  
January 26, 1988.

  
\_\_\_\_\_  
Kay M. Poole  
Declarant



# INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 1/26/88 - 8:19  
 Title of Initiative: AUTOMOBILE INSURANCE PREMIUMS <sup>GOOD DRIVER</sup>  
 Type of Initiative: CA ✓ S CA and S  
 Number of Pages 14 Number of Proponents 1  
 Date and Time Initiative will be ready for pick-up 1/26/88 - 8:30

Initial/Date/Time

1. da 11/26/88 8:20 OSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 11/26/88 8:56 OSSI gives check list to Word Processing Technician to prepare calendar.
3. GW 11-26 9:40 Word Processing Technician prepares and proofs fraud calendar and log and returns both to OSSI.
4. da 11/26/88 9:41 OSSI proofs calendar and log.
5. da 11/26/88 9:41 OSSI gives final calendar and log to Elections Analyst.
6. PA 11/26/88 9:55 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
7. da 11/26/88 9:55 OSSI makes copies of initiative calendar for each proponent.
8. da 11/26/88 10:35 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 11/26/88 10:37 OSSI prepares Mail/Freight Request Form. OSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 1/26/88 to each proponent.  
Date
- (This must be sent to each proponent same day AG prepares Title and Summary).
10. da 11/26/88 11:00 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST

Page two

11. 11/24/10 4:40

OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:

☒ Tony  
☒ Caren  
☒ Jerry  
☒ Deborah  
☒ Barbara

12. 11/27/10 9:30

OSSI distributes copies of initiative calendar to:

☒ All CC/ROV  
☒ Political Reform (3 copies)  
☒ Elections Staff  
☒ LA Office via LA Pouch -  
☒ J.R. Schultz (12 copies)  
☒ Initiative mailing list  
☒ Extra copies for public  
☒ distribution  
☒ Master copy

13. 11/27/10 10:00

OSSI advises Assistant Chief of completion of above distribution.

14. 11/27/10 4:30

OSSI makes copies of log and distributes as follows:

1. Initiative canvass binder
2. Vi Daniels - FTB
3. Archives
4. Oliver Cox
5. Initiative Clipboard

15. 11/26/10 4:15

OSSI prepares folder for public distribution.

16. 11/26/10 4:30

OSSI prepares index cards for each initiative.

17. 11/26/10 5:59

OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.

18. 11/27/10 10:00

OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.

19. 11/29/10 -

Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION  
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room

1/26/88 110 35  
Date Time

Request mail to be sent no later than

1/26/88  
Date

MAIL:

- ☒ 1st Class  
☐ Bulk  
☐ Book Rate  
☐ Presort  
☐ Third Class

CHARGES:

Amount: 56.

Pieces: 1.

FREIGHT:

- ☐ UPS  
☐ Purolator  
☐ Greyhound (Next bus out: Yes \_\_\_\_ No \_\_\_\_)  
☐ Air-Freight  
☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: \_\_\_\_\_)  
☐ County Mailings (#'s: \_\_\_\_\_)  
☐ Ballot Pamphlet  
☐ Other (Specify: \_\_\_\_\_)  
☒ Initiative Calendar to Proponent(s).

Mail room sent requested mail on

1-26-88

GW  
Initial (Service and Supply)